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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/615,600	07/09/2003	Atsushi Onoe	4105-18	8289

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ARLINGTON, VA 22203

EXAMINER

HALEY, JOSEPH R

ART UNIT PAPER NUMBER

2627

DATE MAILED: 04/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/615,600

Applicant(s)

ONOE ET AL.

Examiner

Joseph Haley

Art Unit

2653

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 23 January 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 3,4,7 and 8 is/are allowed.
- 6) ☒ Claim(s) 1,2,5 and 6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Election/Restrictions***

1. Applicant's election of claims 1-8 in the reply filed on 1/23/06 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

The requirement is still deemed proper and is therefore made FINAL.

### ***Specification***

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-2 and 5-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Nose et al. (US 5321685).

In regard to claim 1, Nose et al. teaches a recording/reproducing head for recording information in a dielectric material of a dielectric recording medium or reproducing information recorded in the dielectric material of the dielectric recording medium, the recording/reproducing head comprising: a supporting member of a longitudinal shape which is long in one direction (fig. 3 element 1); a first electrode,

which is projective and which is disposed on one end in the one direction of said supporting member, for applying an electric field to the dielectric material (fig. 6 element 6); an electric conductor portion, which is disposed on a surface of said supporting member facing to the dielectric material, for taking an electric connection with said first electrode (fig. 6 element 7); and a second electrode disposed on the surrounding of said first electrode (fig. 6 element 11).

In regard to claim 2, Nose et al. teaches said recording/reproducing head is used as a device for reproducing the information from the dielectric recording medium on the basis of a scanning nonlinear dielectric microscopy method (The specification teaches dielectric microscopy as recording on a ferroelectric medium which is done by Nose et al., therefore Nose et al. must use dielectric microscopy).

In regard to claim 5, Nose et al. teaches a recording/reproducing head for recording information in a dielectric material of a dielectric recording medium or reproducing information recorded in the dielectric material of the dielectric recording medium, the recording/reproducing head comprising: a supporting member of a longitudinal shape which is long in one direction (fig. 3 element 1); a first electrode, which is projective and which is disposed on one end in the one direction of said supporting member, for applying an electric field to the dielectric material (fig. 6 element 6); a substrate, which is disposed so as to surround said first electrode, for fixing the other end of said supporting member in the one direction (fig. 7 element 10); an electric conductor portion, which is disposed on a surface of said substrate facing to the dielectric material, for taking an electric connection with said first electrode (fig. 6

element 7); and a second electrode disposed so as to surround said first electrode and said electric conductor portion (fig. 6 element 11).

In regard to claim 6, see claim 2 rejection above.

***Allowable Subject Matter***

4. Claims 3-4, 7 and 8 are allowed.

The following is an examiner's statement of reasons for allowance: The prior art fails to show a first electrode, which is penetrated from the tip portion of said projection portion and disposed in the central portion of said projection portion as claimed in claims 3 and claim 7.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


***Conclusion***

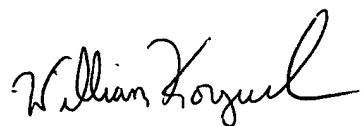
5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Chiba et al. (US 6950385), Takahashi et al. (US 6665239), Nose et al. (US 5953306), and Onoe et al. (US 2004/0047245) all teach recording onto a dielectric medium using probes and electrodes. Yi (US 571685) teaches the use of multiple electrodes to record on a dielectric medium.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph Haley whose telephone number is 571-272-0574. The examiner can normally be reached on M-F 8:30am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Korzuch can be reached on 571-272-7589. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

jrh 

  
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